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**RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1646**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/901,556  
Applicant : Hötten et al.  
Filed : September 24, 1999  
TC/A.U. : 1646  
Examiner : P. Mertz

Docket No. : 2923-286  
Customer No. : 06449  
Confirmation No. : 3191

**AMENDMENT UNDER 37 CFR 1.116**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

June 17, 2004

Sir:

In response to the Office action of April 15, 2004, please amend the  
above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on  
page 2 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.

*Do not enter  
PM 6/17/04*

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claims 1-19 (canceled)

Claim 20 (currently amended): An antibody or antibody fragment which specifically binds to a protein of the TGF- $\beta$  family wherein said antibody or antibody fragment binds to a part of the protein encoded by a ~~DNA comprising a~~ nucleotide sequence selected from the following group:

- (a) the nucleotide sequence as shown in SEQ ID NO:1,
- (b) a nucleotide sequence which is degenerate as a result of the genetic code to the nucleotide sequence of (a), and
- (c) fragments of (a) or (b) which encode a protein which ~~has essentially~~ retains the ~~same~~ cartilage or bone inducing activities ~~as of~~ of a mature protein encoded by the nucleotide sequence of SEQ ID NO:1.

Claim 21 (previously presented): The antibody according to claim 20, wherein said antibody is a monoclonal antibody.

Claim 22 (currently amended): An antibody or antibody fragment according to claim 20, which specifically binds to a protein of the TGF- $\beta$  family wherein the